



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: SIMMONS  
Serial No.: 10/764,428  
Filed: JANUARY 23, 2004  
Confirmation No.: 6080  
Title: METHODS FOR PRODUCING HUMANIZED ANTIBODIES AND IMPROVING YIELD OF ANTIBODIES OR ANTIGEN BINDING FRAGMENTS IN CELL CULTURE

Examiner: UNKNOWN  
Group Art Unit: 1651  
Docket: 11669.120USU1  
Customer No.: 23552

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 24, 2004.

By: Sheryl A. Boerboom  
Name: Sheryl A. Boerboom

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**  
PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 47 References
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: Katherine M. Kowalchuk  
Name: Katherine M. Kowalchuk  
Reg. No.: 36,848  
KKowalchuk:sab



S/N 10/764,428

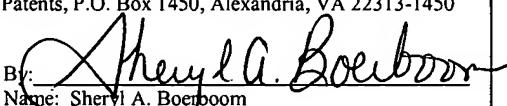
PATENT

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Applicant:	SIMMONS	Examiner:	UNKNOWN
Serial No.:	10/764,428	Group Art Unit:	1651
Filed:	JANUARY 23, 2004	Docket No.:	11669.120USU1
Confirmation No.:	6080	Customer No.:	23552
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By:   
Name: Sheryl A. Boerboom

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

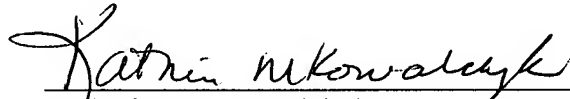
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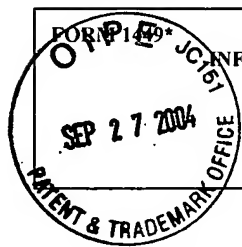
Respectfully submitted,

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Date Sept. 24, 2004

  
Katherine M. Kowalchyk  
Reg. No. 36,848  
KMK:sab





## INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

11669.120USU1

Application Number:

10/764,428

Applicant: SIMMONS

Filing Date: 01/23/04

Group Art Unit: 1651

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,816,567	03/28/1989	Cabilly et al.			
	5,534,615	07/09/1996	Baker et al.			
	5,840,523	11/24/1998	Simmons et al.			
	6,027,888	02/22/2000	Georgiuo et al.			
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	6,172,213 B1	01/09/2001	Lowman et al.			
	2002/0032315 A1	03/14/2002	Baca et al.			
	6,602,688 B1	08/05/2003	Opper et al.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 02/061090	08/08/2002	PCT				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number: 11669.120USU1	Application Number: 10/764,428
	Applicant: SIMMONS	
	Filing Date: 01/23/04	Group Art Unit: 1651

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**23552**

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